

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE RIO PIEDRAS EXPLOSION
LITIGATION

CIVIL 96-2443CCC

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U.S. DISTRICT COURT
SAN JUAN, PR

O R D E R

Pursuant to the orders issued by the undersigned in Civil Nos. 96-2443CCC and 96-2443CCC during the hearing of pending motions held on April 30, 2001, the following dispositions on said motions should be docketed:

Defendants' Motion to Compel Plaintiffs to Answer Written Discovery Pursuant to Fed. R. Civ. P. 37(a) filed in Civil Nos. 97-2711 (docket entry 2920) and 97-2712 (docket entry 2920) is disposed of as follows: the portion of the Motion relating to Civil No. 97-2711 is deemed WITHDRAWN AS MOOT; the portion of the Motion relating to 97-2712 is deemed WITHDRAWN AS MOOT without prejudice on condition that all written discovery shall be furnished by May 9, 2001. Any objections to the particular discovery are deemed waived.

Enron's Motions to Compel Discovery Regarding Expert Witnesses filed in Civil Nos. 97-1770 (docket entries 2765 and 2793) and 97-1771 (docket entry 2798) are deemed WITHDRAWN AS MOOT without prejudice on condition that all written discovery shall be furnished by May 9, 2001. Any objections to the particular discovery are deemed waived.

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Plaintiffs' Motion entitled Urgent Request for Discovery Order and for Sanctions filed in Civil Nos. 97-1770 (**docket entry 2661**) and 97-1771 (**docket entry 2661**) is deemed WITHDRAWN AS MOOT without prejudice on condition that all written discovery shall be furnished by May 17, 2001 and that Defendants' expert shall be deposed no later than May 25, 2001.

Defendants' Motions to Dismiss, or in the Alternative, to Compel for Failure to Answer Discovery filed in Civil Nos. 97-2721 (**docket entries 2633 through 2660**), 97-1578 (**docket entries 2972 and 2973**), 97-2585 (**docket entry 2903**), and 97-2720 (**docket entry 2902**) are deemed WITHDRAWN AS MOOT without prejudice on condition that all written discovery shall be furnished by May 9, 2001. Any objections to the particular discovery are deemed waived.

Enron's Motions to Compel Responses to Discovery filed in Civil No. 97-2668 (**docket entries 3053 and 3054**) are ADJOURNED to May 16, 2001 at which time they shall be deemed WITHDRAWN AS MOOT on condition that all discovery shall be furnished in English by May 9, 2001. Any objections to the particular discovery are deemed waived.

Defendants' Motion to Compel Responses to Discovery filed in Civil No. 97-2669 (**docket entry 3060**) is deemed WITHDRAWN AS MOOT.

Enron's Motions to Compel Discovery Regarding Expert Witnesses filed in Civil Nos. 96-2638 (**docket entries 2768, 2771, and 2781**), 97-1038 (**docket entries 2772 and 2780**), 97-1957 (**docket entries**

2799, 2810, 2811, and 2823), 97-2372 (docket entry 2814), 97-2741 (docket entry 2819), 97-2761 (docket entry 2764), and 98-1572 (docket entry 2787) are deemed WITHDRAWN AS MOOT without prejudice on condition that Plaintiffs shall furnish discovery with regard to their experts by May 9, 2001, and Defendants shall furnish discovery with regard to their experts by May 11, 2001. Depositions of the experts shall be conducted in early June 2001 on dates which are to be agreed upon by counsel.

Enron's Motions to Compel Discovery Regarding Expert Witnesses filed in Civil Nos. 96-2569 (docket entries 2769, 2770, 2788, and 2818) and 00-1178 (docket entry 2782) are deemed WITHDRAWN AS MOOT.

Enron's Motions to Compel Discovery Regarding Expert Witnesses filed in Civil Nos. 97-1273 (docket entries 2802 and 2807) and 99-1255 (docket entry 2805) are deemed WITHDRAWN AS MOOT without prejudice on condition that the names of the attorneys in the cases in which Plaintiffs' expert has testified shall be furnished on or before May 15, 2001.

Enron's Motions to Compel Discovery Regarding Expert Witnesses filed in Civil No. 97-2243 (docket entries 2800 and 2813) are GRANTED, to the extent that the Court has directed disclosure by Dr. Carol Romey of all test raw data by Order dated May 7, 2001. The balance of the Motions are deemed WITHDRAWN AS MOOT.

Defendants' Motions to Compel Discovery Regarding Expert Witnesses and to Dismiss Against Plaintiffs for Failure to Appear

at an Independent Medical Examination and to Preclude the Presence of Plaintiffs' Expert at Defendants' Psychological Examinations of Plaintiffs filed in Civil No. 97-2753 (docket entries 2563, 2564, 2565, 2581, 2783, 2790, 2803, 2804, and 2809) are GRANTED. The examinations shall proceed by May 30, 2001. Defendants' application for costs for failure to appear at the Independent Medical Examination is DENIED.

Enron's Motions to Compel Discovery Regarding Expert Witnesses filed in Civil Nos. 96-2526 (docket entry 2797), 96-2527 (docket entry 2795), 96-2571 (docket entry 2794), 97-1184 (docket entries 2766, 2773, 2776, 2777, 2815, and 2816), 97-1185 (docket entries 2775, 2778, 2779, 2796, and 2808), and 97-1545 (docket entries 2767 and 2774) are deemed WITHDRAWN AS MOOT without prejudice on condition that discovery shall be furnished by May 18, 2001. Any objections to the particular discovery are deemed waived.

Defendants' Motions to Dismiss filed in Civil No. 97-1187 (docket entries 2896 and 2897) are disposed of as follows: all claims of Jose M. Rivera Rivera, who is now deceased, are DISMISSED with prejudice and without costs. The balance of the Motions are deemed WITHDRAWN AS MOOT without prejudice on condition that Theresa Rivera Torres shall furnish all discovery by May 25, 2001. Any objections to the particular discovery are deemed waived.

Defendants' Motions to Dismiss filed in Civil No. 97-1384 (docket entries 2895, 2898, and 2899) are deemed WITHDRAWN AS MOOT

without prejudice.

Enron's Motions filed on April 25, 2001 in Civil Nos. 96-2572 (docket entry 2991), 97-1186 (docket entry 2992), and 97-1207 (docket entry 2993) shall be responded to by May 7, 2001 and any reply shall be served by May 14, 2001. In the event oral argument is deemed necessary, the argument shall be conducted by telephone.

Enron's Motions to Compel Discovery Regarding Expert Witnesses filed in Civil No. 97-2657 (docket entries 2789 and 2821) are deemed WITHDRAWN AS MOOT.

Enron's Motions to Compel Discovery Disclosures and to Compel Discovery Regarding Expert Witnesses filed in Civil No. 97-2656 (docket entries 2784, 2806, and 2935) are deemed WITHDRAWN AS MOOT.

Defendants' Motions to Dismiss filed in Civil No. 97-1507 are disposed of as follows: the Motion as to Plaintiff Servicios Ligeros Parking (docket entry 2901) is STAYED until further order of the Bankruptcy Court due to Plaintiff's filing for bankruptcy; the Motion as to Carlos Velazquez Cruz (docket entry 2900) is deemed WITHDRAWN AS MOOT without prejudice.

Enron's Motions to Compel Discovery Regarding Expert Witnesses filed in Civil No. 97-2690 (docket entries 2791 and 2801) are deemed WITHDRAWN AS MOOT without prejudice on condition that discovery shall be furnished by May 14, 2001. Any objections to the particular discovery are deemed waived.

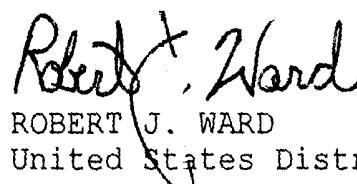
Enron's Motions to Compel Discovery Regarding Expert Witnesses

filed in Civil No. 97-2738 (docket entries 2786, 2812, 2820, and 2822) are deemed WITHDRAWN AS MOOT without prejudice on condition that any other notes of Plaintiffs' psychiatrist shall be furnished by May 14, 2001.

Defendants' Motion to Dismiss filed in Civil No. 97-2769 (docket entry 2894) is disposed of as follows: upon Plaintiff's counsel's representation that he has not received the interrogatories served on Plaintiff's former counsel, the interrogatories shall be re-served on May 1, 2001. The answers shall be served by June 1, 2001 and the Motion is ADJOURNED to June 8, 2001.

SO ORDERED.

At San Juan, Puerto Rico on May 8, 2001.


ROBERT J. WARD
United States District Judge